

REMARKS

Applicant has carefully reviewed the Final Office Action mailed August 24, 2006, prior to preparing this response. Claims 1-5, 7-18 and 29-37 are pending in the application, wherein claims 1-5, 8 and 29-30 have been allowed, claims 11-14, 16 and 31-37 have been rejected and claims 7, 9-10, 15, and 17-18 have been withdrawn from consideration. With this response, claims 11-14, 16 and 31-37 have been cancelled without traverse.

Claims 11-14, 16 and 31-17 were rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Shoup et al. (U.S. Patent No. 5,591,129). These claims have been cancelled, thereby rendering the rejection moot.

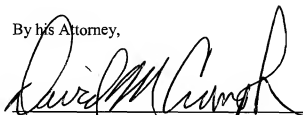
Applicant requests that the restriction of claim 7, 9 and 10 be withdrawn as these claims depend from an allowed generic claim (claim 1). The Examiner stated in the Final Office Action that claims these claims were “withdrawn from further consideration pursuant to 37 C.F.R. 1.142(b) as being drawn to a nonelected invention and species, there being no allowable generic or linking claim.” However, claim 1 is generic to claims 7, 9 and 10. This fact was noted by the Examiner in the February 18, 2004 restriction requirement, in which it was also noted that “[u]pon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. 1.141.” Because claims 7, 9 and 10 depend from claim 1, which stands allowed, Applicant respectfully requests that the restriction of these claims be withdrawn and submits that these claims are also allowable.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Matthew Heidner

By his Attorney,

A handwritten signature in black ink, appearing to read "David M. Crompton", is written over a horizontal line.

David M. Crompton, Reg. No. 36772
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

Date: _____

10/23/06